



PATENT  
Docket No.: 19603/3243 (CRF D-2601C)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Collmer et al.	)	Examiner:
			)	L. Mayes
Serial No.	:	09/825,414	)	Art Unit:
			)	1653
Cnfrm. No.	:	2043	)	
Filed	:	April 3, 2001	)	
For	:	DNA MOLECULES AND POLYPEPTIDES OF <i>PSEUDOMONAS SYRINGAE HRP</i> PATHOGENICITY ISLAND AND THEIR USES	)	

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DECLARATION OF JAMES R. ALFANO UNDER 37 C.F.R. §1.132

I, JAMES R. ALFANO, pursuant to 37 C.F.R. § 1.132, hereby declare:

1. I am an inventor of the above patent application.
2. It is my understanding that GenBank accession number AAF71504 has been cited as prior art against several claims of the above-identified application. I am presenting this declaration to explain why the information contained in GenBank accession number AAF71504 is not available as prior art.
3. On behalf of me and my co-inventors, on February 7, 2000 I deposited with Genbank the information contained in Genbank accession number AAF71504. In making the deposit, I listed only myself and co-inventor Alan Collmer because we were the two principle investigators on the underlying research.
4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 10/20/03

  
James R. Alfano



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**UTILITY/DESIGN PATENT**

(amend/final amend) Date: 2/13/03 Date of O.A.: \_\_\_\_\_

Rec'd in the U.S. Patent & Trademark Office on the date stamped hereon

via Certificate of Mail:

Case # 19603/3243 S/N: 09/825,414 Filed: APRIL 3, 2001

Pat. # \_\_\_\_\_ Issued: \_\_\_\_\_

Examiner: A. KUBELIK Art Unit: 1638

Batch: \_\_\_\_\_ Atty: EVM

Applicant: Collomes et al.

Title: DNA Molecules and Polypeptides

Re-Exam Control # \_\_\_\_\_

VERIFIED BY: Asst: JCW Quality Control: OIPF

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